

REMARKS

Claims 1-4 and 10-20 remain pending in the application including independent claims 1, 13, and 16. Claims 5-9 have been cancelled. New claims 21-26 have been added.

The drawings have been revised in response to the examiner's objections. Replacement sheets of drawings are attached hereto. In addition to the examiner's objections, applicant has amended Figure 2 to correct lead line designations for elements 34 and 40. Further, in response to the examiner's request that the fasteners in Figures 3-6 be identified with a reference number, applicant has accordingly amended the specification to reflect this change. No new matter has been added.

Additional amendments to the specification are also submitted. These amendments are not in response to any objections or rejections set forth by the examiner. The amendments are solely submitted to provide consistent terminology and numbering throughout the application.

Claim 1 has been amended in response to the examiners 35 U.S.C. 112, second paragraph, rejection, thus applicant requests that the rejection of claims 1-11 under 35 U.S.C. 112 be withdrawn.

Claims 1, 2, 3, 5, 6, and 10 stand rejected under 35 U.S.C 102(e) as being anticipated by Varela (US 6701763). Claim 1 has been amended to clarify that the radial location feature comprises one of a plurality of teeth and a plurality of radial protrusions. Varela does not disclose this feature. Thus, applicant respectfully requests that the rejection of claims 1, 2, 3, 5, 6, and 10 as being anticipated by Varela be withdrawn.

Claims 1-5, 9-11, and 13-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Mastrangelo (US 5553927). Claim 1 has been amended to clarify that the

radial location feature comprises one of a plurality of teeth and a plurality of radial protrusions. Mastrangelo does not disclose this feature.

Claim 13 has been amended to clarify that the first and the second radial location members extend radially outwardly from the lateral axis defined by the axle beam. Mastrangelo does not disclose this feature. The examiner argues that bolts 18 comprise radial location members, however, these bolts do not extend radially outwardly from a lateral axis as defined in claim 13. Claim 16 has similarly been amended. Thus, applicant respectfully requests that the rejection of claims 1-5, 9-11, and 13-20 as being anticipated by Mastrangelo be withdrawn.

Claims 1, 2, 5, 9, 10, 11, and 13-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Butler (US2754936). Claim 1 has been amended to clarify that the radial location feature comprises one of a plurality of teeth and a plurality of radial protrusions. Butler does not disclose this feature.

Claim 13 has been amended to clarify that the first and the second radial location members extend radially outwardly from the lateral axis defined by the axle beam. Butler does not disclose this feature. The examiner does not identify an element that corresponds to the claimed radial location feature, however, applicant is assuming that the examiner is arguing that bolts 12 comprise the radial location members. These bolts 12 do not extend radially outwardly from a lateral axis as defined in claim 13. Claim 16 has similarly been amended. Thus, applicant respectfully requests that the rejection of claims 1, 2, 5, 9, 10, 11, and 13-20 as being anticipated by Butler be withdrawn.

Claims 1, 2, 3, 5, 7, 8, and 12 stand rejected under 35 U.S.C. 102(b) as being anticipated by Boughton. Applicant is unable to respond to this rejection. The examiner's PTO-892 form does not identify a reference listing Boughton as an inventor. Further, the



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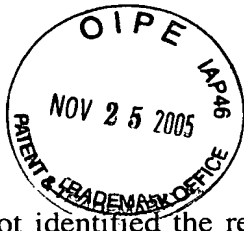
outwardly from said lateral axis, and wherein said first and second torque plates cooperate with said first and second radial location members respectively to transfer rotational brake torque between said first and second disc brake assemblies and said axle beam; and

first and second axial location members supported by said first and second ends of said axle beam wherein said first and second torque plates cooperate with said first and second axial location members to position said first and second torque plates at predetermined locations along said axle beam.

14. (Currently Amended) The assembly of claim 13 wherein each of said first and second radial location members comprises a plurality of male members supported on one of said first and second torque plates and ~~or~~ said axle beam and a plurality of female members supported on the other of said first and second torque plates and ~~or~~ said axle beam and wherein said plurality of male members are at least partially received within said plurality of female members to prevent relative rotation between said first and second torque plates and said axle beam.

15. (Currently Amended) The assembly of claim 14 wherein each of said first and second axial location members comprises an end stop supported on said axle beam with said first and second torque plates engaging a respective one of said end stops to prevent relative axial movement between said first and second torque plates and said axle beam.

16. (Currently Amended) A method of mounting a torque plate to a trailer axle component comprising the steps of:

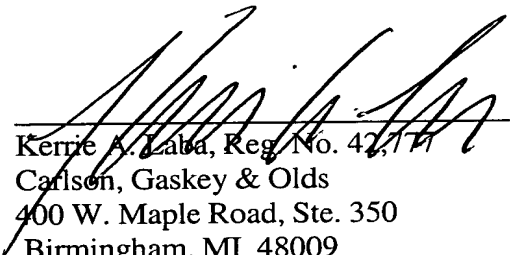


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examiner has not identified the reference in the rejection set forth at item 9 of the present office action with a patent number. Finally, the examiner has not provided any arguments detailing where in Boughton the features of claims 1, 2, 3, 5, 7, 8, and 12 are shown. Applicant respectfully requests that the examiner provide further details regarding this rejection such that applicant can properly respond.

Applicant asserts that all claims are in condition for allowance and respectfully requests an indication of such. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for one additional dependent claim. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.


Respectfully submitted,


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Dated: November 22, 2005

CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of November, 2005.


Laura Combs